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09/960,162	09/20/2001	Rodney Thomas Whisnant	10684.103	4261

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PATTON BOGGS LLP  
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SUITE 4900  
DENVER, CO 80202

EXAMINER
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HUNTSINGER, PETER K

ART UNIT	PAPER NUMBER
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2625

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06/21/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/960,162	<b>Applicant(s)</b> WHISNANT ET AL.	
	<b>Examiner</b> Peter K. Huntsinger	<b>Art Unit</b> 2625	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 April 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 and 18-86 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 18-86 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/19/07 has been entered.

***Response to Arguments***

2. Applicant's arguments filed 4/19/07 have been fully considered but they are not persuasive.

The applicant argues on pages 15 and 16 of the response in essence that:

Shiimori does not disclose that the photographer processing unit selects a fulfillment center using the list of options and the list of at least one fulfillment center.

a. Shiimori ' 461 discloses utilizing said photographer processing unit, selecting a fulfillment center using said list of options and said list of at least one fulfillment center (A73 of Fig. 15, col. 13, lines 38-57). The list of options as shown in Fig. 15 allows the user to navigate backwards to select a different store. The act of selecting the fulfillment center consist of sending the order with a designated store. Therefore, the fulfillment center is selected using said list of options and said list of fulfillment centers.

***Claim Objections***

3. Claim 44 is objected to because of the following informalities: In claim 44, line 12, a comma should appear after the phrase "Receiving an order from said photographer processing unit." Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 5, 7, 18-20, 22, 24-30, 39-46, 48, 50, 59-63, 65, 67-73, and 82-86 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiimori Patent 6,853,461, and further in view of Cocotis et al. Patent 6,980,964.

Referring to claim 1, Shiimori discloses a system for transferring a digital image to a fulfillment center (store server 30 of Fig. 1, col. 9, lines 1-5) to generate a photographic product from said digital image comprising: a computer readable medium embodying instructions for directing a first processing unit (order-taking server 25 of Fig. 1, col. 9, lines 1-5) to: Maintain a list of at least one fulfillment centers available to generate a photograph from said digital image (Fig. 4, col. 10, lines 7-16), Receive a request from a photographer (client computer 1 of Fig. 1, col. 9, lines 1-5) for a list of options to generate said photographic product from said digital image (Fig. 18, col. 12,

lines 14-24), Transmit to said photographer processing unit said list of options for generating said photographic product (Fig. 32, col. 18, lines 48-51) and a photographer list of at least one fulfillment center that can fulfill said options (Fig. 19, col. 11, lines 35-49), Receive an order from said photographer processing unit (col. 14, lines 5-10), said order specifying at least one fulfillment center to fulfill the order (col. 14, lines 30-34), and Transmit said order to a fulfillment center processing unit of said one of said at least one fulfillment centers (col. 14, lines 5-10); and a second computer readable medium embodying instructions for directing a photographer processing unit to: establish a connection between said photographer processing unit and said first processing unit; receive said photographer list of said fulfillment centers from said first processing unit in said photographer processing unit (Fig. 19, col. 11, lines 35-49); display said photographer list of said fulfillment centers by said photographer processing unit (Fig. 19, col. 11, lines 35-49); after said list of options is displayed, receive an input specifying at least one fulfillment center to fulfill said order (col. 13, lines 38-57, ordering information including the store that accepts the order is confirmed and transmitted); and transmit said order to said first processing unit (col. 13, lines 38-57). Shiimori does not disclose expressly transmitting routing information to said photographer processing unit to transmit images to the fulfillment center. Cocotis et al. disclose Transmitting routing information to said photographer processing unit wherein said routing information is for transmitting said digital image to a one of said at least one fulfillment centers to process said order (col. 4, lines 55-67). It is inherent that the system of Cocotis et al. transmits routing information to the photographer processing unit for transmitting images. A

website maintained by the photo shop sent to the patron includes a URL which would be routing information. Shiimori and Cocotis are combinable because they are from the same field of photograph ordering systems. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to transmit routing information for transmitting images. The motivation for doing so would have been to allow the fulfillment center to provide its own website interface. Therefore, it would have been obvious to combine Cocotis et al. with Shiimori to obtain the invention as specified in claim 1.

Referring to claims 2 and 45, Cocotis et al. disclose wherein said instructions further comprise: Instructions for directing said first processing unit to: Receive said digital image from said photographer processing unit (col. 14, lines 5-10).

Referring to claims 3 and 46, Cocotis et al. disclose wherein said instructions to process said order further comprise: Instructions for directing said first processing unit to: Transmit said digital image to said fulfillment center processing unit (col. 14, lines 5-10).

Referring to claims 5 and 48, Shiimori discloses wherein said instructions for directing a first processing unit further comprise: Instructions for directing said first processing unit to: Determine said one of said at least one fulfillment centers to process said order from parameters received in said order responsive to receiving said order (col. 14, lines 5-10)

Referring to claims 7 and 50, Shiimori discloses charging for printing photographs, but does not disclose expressly debiting a photographer account. Cocotis

et al. disclose wherein said instructions further comprise: Instructions for directing said first processing unit to: debit a photographer account responsive to receiving said order (col. 7-8, lines 63-67, 1-6). Shiimori and Cocotis are combinable because they are from the same field of photograph ordering systems. At the time of the invention, it would have obvious to a person of ordinary skill in the art to debit a photographer account after receiving an order. The motivation for doing so would have been to extend a line of credit to the customer. Therefore, it would have been obvious to combine Cocotis et al. with Shiimori to obtain the invention as specified in claims 7 and 50.

Referring to claims 18 and 61, Cocotis et al. disclose wherein said instructions for directing said photographer processing unit further comprise: Instructions for directing said photographer processing unit to: Receive said routing information from said first processing unit (col. 4, lines 55-67). It is inherent that the system of Cocotis et al. transmits routing information to the photographer processing unit for transmitting images. A website maintained by the photo shop sent to the patron includes a URL which would be routing information.

Referring to claims 19 and 62, Cocotis et al. disclose wherein said instructions for directing said photographer processing unit to: instructions for directing said processing unit to: transmit said digital image to said first processing unit responsive receiving said receiving said routing information (col. 7, lines 26-28).

Referring to claims 20 and 63, Cocotis et al. disclose wherein said instructions for directing said photographer processing unit further comprises: Instructions for directing said photographer unit to: Transmit said digital image to said one of said at least one

fulfillment center using said routing information responsive to receiving said routing information (col. 7, lines 26-28).

Referring to claims 22 and 65, Shiimori discloses wherein said instructions for directing said photographer processing unit to: Instructions for directing said photographer unit to: Transmit an account identification to said first processing unit responsive to transmitting said order (col. 14, lines 5-10).

Referring to claims 24 and 67, Shiimori discloses wherein said request includes parameters for selecting said one of said at least one fulfillment centers to process said order (Fig. 18, col. 12, lines 14-24).

Referring to claims 25 and 68, Shiimori discloses wherein said parameters include a location of a fulfillment center (col. 3, lines 53-58).

Referring to claims 26 and 69, Cocotis et al. disclose wherein said parameters include sizes for said photographic product (Fig. 18, col. 12, lines 14-24).

Referring to claims 27 and 70, Shiimori discloses wherein said parameters include graphics available for said photographic product (Fig. 18, col. 12, lines 14-24).

Referring to claims 28 and 71, Shiimori discloses wherein said request includes parameters for selecting a fulfillment center, but does not disclose expressly wherein said parameters include price range. Cocotis et al. disclose wherein said parameters include a range of prices for said photographic product (col. 10, lines 29-33). Shiimori and Cocotis are combinable because they are from the same field of photograph ordering systems. At the time of the invention, it would have obvious to request fulfillment centers based on price range. The motivation for doing so would have been

to provide the user a list of fulfillment centers that are within the desired price range. Therefore, it would have been obvious to combine Cocotis et al. with Shiimori to obtain the invention as specified in claims 28 and 71.

Referring to claims 29 and 72, Shiimori discloses Instructions for directing a fulfillment center processing unit to: Receive said order from said first processing unit, Receive said digital image (col. 14, lines 5-10), and Process said order to generate said photographic product (col. 14, lines 11-18); and A media readable by said fulfillment center processing unit that stores said instructions.

Referring to claims 30 and 73, Shiimori discloses wherein said instructions for directing said fulfillment center processing unit further comprising: Instructions for directing said processing unit to: Store said digital image to a memory (col. 23, lines 14-19).

Referring to claims 39 and 82, Cocotis et al. disclose wherein said instruction for directing said fulfillment center processing unit further comprise: Instructions for directing said fulfillment center processing unit to: Receive said digital image from a photographer processing unit (col. 7, lines 26-28).

Referring to claims 40 and 83, Shiimori discloses wherein said list of options includes photographic product sizes (col. 18, lines 39-43).

Referring to claims 41 and 84, Shiimori discloses a list of options but does not disclose expressly wherein said options include types of paper. Cocotis et al. disclose wherein said list of options includes types of paper available for said photographic product (col. 7, lines 29-32). Shiimori and Cocotis are combinable because they are

from the same field of photograph ordering systems. At the time of the invention, it would have obvious to include a paper type option. The motivation for doing so would have been to allow the customer to select the desired paper type for their photographs. Therefore, it would have been obvious to combine Cocotis et al. with Shiimori to obtain the invention as specified in claims 41 and 84.

Referring to claims 42 and 85, Shiimori discloses wherein said list of options includes graphics available to said digital image to generate said photographic product (col. 13, lines 16-21).

Referring to claims 43 and 86, Shiimori discloses wherein said list of options includes fulfillment centers that provide particular options (col. 11, lines 35-49).

Referring to claim 44, Shiimori discloses a method for generating a photographic product from a digital image, said method comprising: (store server 30 of Fig. 1, col. 9, lines 1-5) Maintaining a list of fulfillment centers available to generate a photograph from said digital image (Fig. 4, col. 10, lines 7-16) by a first processing unit (order-taking server 25 of Fig. 1, col. 9, lines 1-5); Receiving a request from a photographer processing unit (client computer 1 of Fig. 1, col. 9, lines 1-5) for a list of options to generate said photographic product from said digital image in said first processing unit (Fig. 18, col. 12, lines 14-24); Transmitting said list of options for generating said photographic product (Fig. 32, col. 18, lines 48-51) and a list of at least one fulfillment center that can fulfill said options from said first processing unit to said photographer processing unit (Fig. 19, col. 11, lines 35-49); Utilizing said photographer processing unit, selecting a fulfillment center using said list of options and said list of at least one

fulfillment center (A73 of Fig. 15, col. 13, lines 38-57, list of options allows user to navigate backwards and select a different store); Receiving an order from said photographer processing unit (col. 14, lines 5-10), said order specifying at least one fulfillment center to fulfill the order (col. 14, lines 30-34); and Transmitting said order to a fulfillment center processing unit of said one of said at least one fulfillment centers (col. 14, lines 5-10). Shiimori does not disclose expressly transmitting routing information to said photographer processing unit to transmit images to the fulfillment center. Cocotis et al. disclose Transmitting routing information to said photographer processing unit wherein said routing information is for transmitting said digital image to a one of said at least one fulfillment centers to process said order (col. 4, lines 55-67). It is inherent that the system of Cocotis et al. transmits routing information to the photographer processing unit for transmitting images. A website maintained by the photo shop sent to the patron includes a URL which would be routing information. Shiimori and Cocotis are combinable because they are from the same field of photograph ordering systems. At the time of the invention, it would have obvious to a person of ordinary skill in the art to transmit routing information for transmitting images. The motivation for doing so would have been to allow the fulfillment center to provide its own website interface. Therefore, it would have been obvious to combine Cocotis et al. with Shiimori to obtain the invention as specified in claim 44.

Referring to claim 59, Shiimori discloses wherein said utilizing comprises:  
Establishing a connection between said photographer processing unit and said first processing unit; Receiving said photographer list of said fulfillment centers from said

first processing unit in said photographer processing unit (Fig. 19, col. 11, lines 35-49); Displaying said photographer list of said fulfillment centers by said photographer processing unit (Fig. 19, col. 11, lines 35-49); Transmitting said request from said photographer processing unit to said first processing unit (Fig. 18, col. 12, lines 14-24); Receiving said list of options from said first processing unit product (Fig. 32, col. 18, lines 48-51); Displaying said list of options by said photographer processing unit product (Fig. 32, col. 18, lines 48-51); and Receiving in said photographer processing unit an input specifying at least one fulfillment center to fulfill an order (col. 11, lines 35-49).

Referring to claim 60, Shiimori discloses wherein said instructions for directing said photographer processing unit further comprise: Instructions for directing said photographer processing unit to: Receive an input of said order, and Transmit said order to said first processing unit (col. 14, lines 5-10).

6. Claims 4, 6, 8-14, 31-34, 47, 49, 51-57, and 74-77 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiimori Patent 6,853,461 and Cocotis et al. Patent 6,980,964 as applied to claims 1, 7, 29, 30, 44, 50, 72, and 73 above, and further in view of well known prior art.

Referring to claims 4 and 47, Shiimori discloses said digital image being transmitted to said fulfillment center processing unit, but do not disclose expressly receiving a confirmation after transmission. Official Notice is taken that it is well known and obvious to a person of ordinary skill in the art to receive a confirmation after a

transmission (See MPEP 2144.03). The motivation for doing so would have been to notify the photo shop that the images have been sent correctly.

Referring to claims 6 and 49, Shiimori discloses sending an order, but do not disclose expressly receiving a confirmation after the order is processed. Official Notice is taken that it is well known and obvious to a person of ordinary skill in the art to receive a confirmation after an order is processed (See MPEP 2144.03). The motivation for doing so would have been to notify the photo shop that the images have been processed correctly.

Referring to claims 8 and 51, Cocotis et al. disclose debiting a photographer account, but do not disclose expressly receiving funds and transferring then to an account. Official Notice is taken that it is well known and obvious to a person of ordinary skill in the art to deposit funds into an account (See MPEP 2144.03). The motivation for doing so would have been to establish a line of credit for the photographer.

Referring to claims 9 and 52, Cocotis et al. disclose wherein said funds are transferred electronically (col. 7, lines 33-35).

Referring to claims 10 and 53, Cocotis et al. disclose transmitting said order but do not disclose expressly transmitting responsive to receiving funds. Official Notice is taken that it is well known and obvious to a person of ordinary skill in the art to receive funds before providing a service (See MPEP 2144.03). The motivation for doing so would have been to verify the patron has the money for the service.

Referring to claims 11 and 54, Cocotis et al. disclose debiting a photographer account, but do not disclose expressly receiving funds and transferring then to an account. Official Notice is taken that it is well known and obvious to a person of ordinary skill in the art to deposit funds into an account (See MPEP 2144.03). The motivation for doing so would have been to establish a line of credit for the photographer.

Referring to claims 12 and 55, Cocotis et al. disclose debiting a photographer account, but do not disclose expressly periodically debiting an account. Official Notice is taken that it is well known and obvious to a person of ordinary skill in the art to periodically debit an account (See MPEP 2144.03). The motivation for doing so would have been to charge a monthly fee for using a service.

Referring to claims 13 and 56, Cocotis et al. disclose wherein said instructions for directing said first processing unit further comprises: Instructions for directing said first processing unit to: Maintain a count of a number of orders that said one of said at least one fulfillment centers receives (col. 8, lines 14-23).

Referring to claims 14 and 57, Cocotis et al. disclose maintaining a count of a number of orders that said one of said at least one fulfillment centers receives, but do not disclose expressly debiting a charge after the count reaches a predetermined number. Official Notice is taken that it is well known and obvious to a person of ordinary skill in the art to charge after a count has reached a predetermined number (See MPEP 2144.03). The motivation for doing so would have been to avoid having to charge a customer for each transaction.

Referring to claims 31 and 74, Shiimori discloses storing said digital image at the fulfillment center, but do not disclose expressly deleting the image after the processing the order. Official Notice is taken that it is well known and obvious to a person of ordinary skill in the art to delete an image after an order has been completed (See MPEP 2144.03). The motivation for doing so would have been to obtain memory space by deleting unneeded information.

Referring to claims 32 and 75, Shiimori discloses storing said digital image at the fulfillment center, but do not disclose expressly deleting the image after the a period of time. Official Notice is taken that it is well known and obvious to a person of ordinary skill in the art to delete a data after a period of time has passed (See MPEP 2144.03). The motivation for doing so would have been to clear a system's RAM at defined intervals.

Referring to claims 33 and 76, Shiimori discloses ordering digital images, but do not disclose expressly transmitting a status periodically. Official Notice is taken that it is well known and obvious to a person of ordinary skill in the art to periodically transmit order status (See MPEP 2144.03). The motivation for doing so would have been to notify the photo shop whether the order is completed or not.

Referring to claims 34 and 77, Shiimori discloses a plurality of fulfillment centers, but do not disclose expressly transmitting an availability of the fulfillment centers. Official Notice is taken that it is well known and obvious to a person of ordinary skill in the art to transmit an availability of a service (See MPEP 2144.03). The motivation for

doing so would have been to notify the photo shop whether a particular service is available or not.

7. Claims 15, 21, 58, and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiimori Patent 6,853,461 and Cocotis et al. Patent 6,980,964 as applied to claims 1, 20, 44, and 63 above, and further in view of Arledge, Jr. et al. Patent 6,535,294.

Referring to claims 15 and 58 Shiimori discloses a list of fulfillment centers but do not disclose expressly a web page listing said fulfillment centers. Arledge, Jr. et al. disclose maintaining a web page listing said fulfillment centers with hyper-linked text pointing to web pages listing said options for said fulfillment centers (Fig. 7, col. 14, lines 16-31). Shiimori and Arledge, Jr. et al. are combinable because they are from the same field of photograph ordering systems. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to maintain a web page of fulfillment centers with links to their products. The motivation for doing so would have been to provide an interface for a customer to choose a fulfillment center and view the products. Therefore, it would have been obvious to combine Arledge, Jr. et al. with Shiimori and Cocotis et al. to obtain the invention as specified in claims 15 and 58.

Referring to claims 21 and 64, Shiimori discloses transmitting said digital image to said first processing unit, but does not disclose expressly a transmitting a confirmation. Official Notice is taken that it is well known and obvious to a person of ordinary skill in the art to transmit a confirmation after a transmission (See MPEP

2144.03). The motivation for doing so would have been to determine if the images have been sent correctly.

8. Claims 23, 35-38, 66, and 78-81 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiimori Patent 6,853,461 and Cocotis et al. Patent 6,980,964 as applied to claims 17, 29, 60, and 72 above, and further in view of Garfinkle et al. Patent 6,017,157.

Referring to claims 23 and 66, Shiimori discloses ordering digital images, but do not disclose expressly a graphic instruction set. Garfinkle et al. disclose wherein said order includes a graphic instruction set for said photograph (col. 5, lines 20-29).

Shiimori and Garfinkle et al. are combinable because they are from the same field of photograph ordering systems. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to allow a graphic instruction set for a photograph. The motivation for doing so would have been to allow customization of a photograph to the particular desires of a customer. Therefore, it would have been obvious to combine Garfinkle et al. with Shiimori and Cocotis et al. to obtain the invention as specified in claims 23 and 66.

Referring to claims 35 and 78, Shiimori discloses generating a digital image with a fulfillment center, but do not disclose expressly generating a proof from a digital image and a graphic set. Garfinkle et al. disclose generating a proof from said digital image and a graphic instruction set (col. 8, lines 13-19). Shiimori and Garfinkle et al. are combinable because they are from the same field of photograph ordering systems. At

the time of the invention, it would have been obvious to a person of ordinary skill in the art generate a proof from a digital image and graphic instruction set. The motivation for doing so would have been to evaluate the images for errors before printing the order. Therefore, it would have been obvious to combine Garfinkle et al. with Shiimori and Cocotis et al. to obtain the invention as specified in claims 35 and 78.

Referring to claims 36 and 79, Garfinkle et al. disclose instructions for directing said fulfillment center processing unit further comprises: Instructions for directing said fulfillment center processing unit to: Read said graphic instruction set from said order (col. 5, lines 20-29).

Referring to claims 37 and 80, Garfinkle et al. disclose instructions for directing said fulfillment center processing unit further comprises: Instructions for directing said fulfillment center processing unit to: Receive said graphic instruction set from a photographer processing unit (col. 5, lines 20-29).

Referring to claims 38 and 81, Shiimori discloses wherein said instructions for directing said fulfillment processing unit further comprising: Instructions for directing said fulfillment center processing unit to: Receive said digital image from said first processing unit (col. 14, lines 5-10).

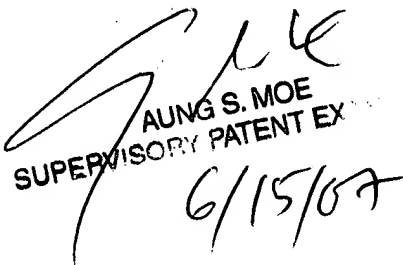
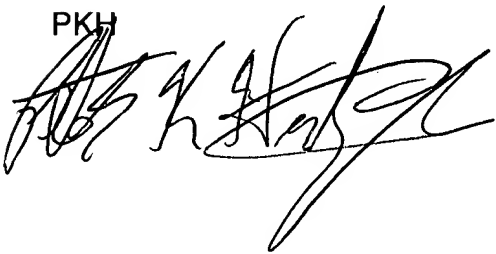
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Moe Aung can be reached on (571)272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PKH



AUNG S. MOE  
SUPERVISORY PATENT EX  
6/15/07